

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHARMELL TAYLOR,

Plaintiff,

-v-

5:24-CV-188

EXPERIAN and CREDIT
ACCEPTANCE CORPORATION,

Defendants.

APPEARANCES:

OF COUNSEL:

SHARMELL TAYLOR
Plaintiff, Pro Se
149 Mooney Avenue
Syracuse, NY 13206

DAVID N. HURD
United States District Judge

ORDER ON REPORT & RECOMMENDATION

On February 7, 2024, *pro se* plaintiff Sharmell Taylor (“plaintiff”) filed this civil action alleging that a credit reporting agency violated her rights under certain federal consumer protection statutes. Dkt. No. 1. Along with her complaint, plaintiff moved for leave to proceed *in forma pauperis* (“IFP Application”). Dkt. No. 2.

On February 14, 2024, U.S. Magistrate Judge Mitchell J. Katz granted plaintiff's IFP Application and advised by Report & Recommendation ("R&R") that plaintiff's complaint be dismissed with partial leave to amend. Dkt. No. 4. As relevant here, Judge Katz determined that plaintiff should be given an opportunity to try to replead her claims under the Fair Credit Reporting Act ("FCRA") and/or related state law. *Id.* After the time period in which to lodge objections expired, this Court adopted Judge Katz's R&R, Dkt. No. 5, and plaintiff thereafter filed an amended complaint, Dkt. No. 6.

On May 1, 2024, Judge Katz conducted an initial review of plaintiff's amended complaint and advised by R&R that plaintiff's amended pleading again be dismissed, but this time with prejudice. Dkt. No. 7. Judge Katz found that plaintiff's claims against defendant Credit Acceptance Corp. were barred by *res judicata* while her claims against defendant Experian were pleaded in too general and conclusory terms to warrant further proceedings.

Plaintiff has not filed objections, and the time period in which to do so has expired. *See* Dkt. No. 7. Upon review for clear error, the R&R is accepted and will be adopted. *See* FED R. CIV. P. 72(b).

Therefore, it is

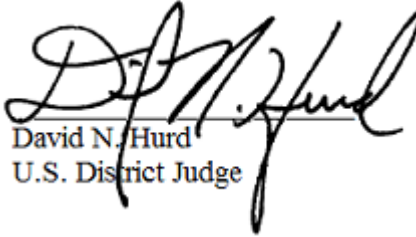
ORDERED that

1. The Report & Recommendation (Dkt. No. 7) is ACCEPTED; and
2. Plaintiff's complaint is DISMISSED without leave to amend.

The Clerk of the Court is directed to enter a judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: May 23, 2024
Utica, New York.



David N. Hurd
U.S. District Judge